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REMARKS

Claims 1-18 are pending in this application. By this Amendment, claims 12-18 are added. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

The Office Action rejects, under 35 U.S.C. § 103, claims 1, 2, 4, 5, 7-9, and 11 over Sharrit et al. (U.S. Patent No. 6,185,205) and Johnson et al. (U.S. Patent No. 6,487,181) and claims 3, 6, and 10 over Sharrit et al. and Maggenti et al. (U.S. Patent No. 6,477,150). These rejections are respectfully traversed.

Applicants assert that neither Sharrit et al. nor Johnson et al. disclose or suggest a method or apparatus including a mobile station capable of communicating through both a wireless connection and a wired connection for switching an ongoing communication between a wireless connection and a wired connection, as recited in independent claim 1 and similarly recited in independent claims 4 and 8.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the reference or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references, when combined, must teach or suggest all of the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure (MPEP 2142). The prior art must suggest the desirability of the claimed invention (MPEP 2143.01).

Sharrit et al. discloses an information transfer system including a plurality of wireless interface units that are each capable of converting a signal between a unique wireless signal format and a common signal format. The information transfer system also includes a plurality of wired interface units that are each capable of converting between a unique wired signal format and the common signal format. Each interface unit communicates with a corresponding external communications system via an external communications channel. Connections between interface

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units are established within the information transfer system to provide interoperability between two or more previously incompatible external communications systems (col. 2, lines 23-35).

Johnson et al. discloses a method and apparatus for transmitting and receiving information in a truncated time slot. When transmitting, the communication device generates user information symbols and positions the symbols in a first portion of the time slot. The first portion of the time slot occupies less time than the time slot. The communication device then transmits during the first portion of the time slot only, to produce a truncated time slot. When receiving, a communication device decodes and then encodes a received time slot, presuming the received time slot is not a truncated time slot. The communication device determines an error metric for the encoded time slot and, based on the error metric, determines whether the encoded time slot is a truncated time slot. When the encoded time slot is a truncated time slot, the communication device processes the user information symbols in the received time slot (col. 2, lines 40-56).

Neither reference discloses a mobile station capable of communicating through both a wireless connection and a wired connection. Such a capability is clearly defined in each claim, yet such a capability is missing from the cited references. Furthermore, claims 4 and 8 explicitly recite a mobile station including wireless and wired interfaces, yet a mobile station including such interfaces is missing from the references.

In fact, Sharrit et al. teaches away from a mobile station capable of communicating through both a wireless connection and a wired connection. In particular, Sharrit et al. teaches a special interface is needed because one system, such as one using a mobile station, cannot communicate with another different system, such as a wire system (col. 1, lines 21-30). Sharrit et al. explicitly teaches that systems that utilize a particular signal format, such as wireless, cannot recognize signals having other formats, such as wired (col. 3, lines 42-47). For example, Sharrit et al. discloses the need for the disclosed system that provides for the interoperability between a number of communication systems that each utilize a different signal formatting scheme (col. 1, lines 57-61 and col. 2, lines 20-23). Thus, Sharrit et al. teaches away from a mobile station capable of communicating through both a wireless connection and a wired connection.

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Johnson et al. only concerns transmitting and receiving information in a time slot and has no disclosure of a mobile station capable of communicating through both a wireless connection and a wired connection.

Furthermore, neither reference discloses a method for switching an ongoing communication between a wireless connection and a wired connection. For example, Sharrit et al. teaches an interface that allows the use of a wireless and a wired connection at the same time (col. 7, line 45 - col. 8, line 9). This interface does not switch an ongoing communication between a wireless connection and a wired connection.

As mentioned above, Johnson et al. only concerns transmitting and receiving information in a time slot. Also, Johnson et al. has no disclosure of switching between a wireless connection and a wired connection.

Additionally, Johnson et al. does not disclose communicating a second portion of user information through a second one of the wireless connection and the wired connection. The Office Action cites Fig. 5, element 505 as disclosing communicating a second portion of user information. This element does not disclose such a step. Element 505, along with element 506, disclose transmitting "channel related information symbols" in a second portion of the time slot, not user information. To the contrary, Johnson et al. discloses the user information is only transmitted in a first portion of a time slot.

Furthermore, while Johnson et al. discloses transmitting information in portions of time slots, there is no teaching, in either reference, the communication of portions of user information in different ones of a wireless connection and a wired connection. Sharrit et al. only discloses a system using interfaces for wired and wireless connections. Also, Johnson et al. only discloses communicating information in time slots. The combination does not amount to transmission of one portion in one connection and a second portion in another connection. In fact, if the references could be combined, they would only amount to transmitting all information through both connections. Therefore, the combination of both references does not result in the communication of portions of user information in different ones of a wireless connection and a wired connection.

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Thus, neither Sharrit et al. nor Johnson et al. disclose or suggest a method or apparatus including a mobile station capable of communicating through both a wireless connection and a wired connection for switching an ongoing communication between a wireless connection and a wired connection, as recited in independent claim 1 and similarly recited in independent claims 4 and 8.

Accordingly, Applicants respectfully submit that independent claims 1, 4, and 8 define patentable subject matter. The remaining claims depend from the independent claims and therefore also define patentable subject matter. Accordingly, Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. § 103.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully submit this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-18 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

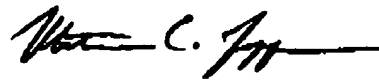
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The Commissioner is hereby authorized to deduct the amount of \$84.00 in payment of the fee required for one (1) additional independent claim and any additional fees arising as a result of this Amendment or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

Respectfully submitted,



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Dated: March 25, 2003

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